

Remarks

This is in response to the non-final Office Action mailed on May 16, 2005. Claims 30 and 41-45 are editorially amended. Claims 30 and 32-45 remain pending in the application, with claim 30 being the only independent claim. Reconsideration and allowance are requested in view of the following remarks.

I. Interview Summary

Applicants' representative, Robert A. Kalinsky, personally interviewed the present application with Examiner Yoon on May 26, 2005. Applicants appreciate the courtesy extended by Examiner Yoon. During the interview, Venable, U.S. Patent No. 3,886,076 was discussed. Agreement regarding the allowability of the claims was not reached.

II. Claim Rejections - 35 U.S.C. § 112

Claims 30 and 32-45 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The rejection states that the term "about" in the claims constitutes new matter. This rejection is respectfully traversed, and the correctness of the rejection is not conceded.

Nevertheless, claims 30 and 41-45 are amended to remove the term "about" in the interest of moving this application into condition for allowance. Reconsideration is respectfully requested.

III. Claim Rejections - 35 U.S.C. §§ 102 and 103

Claims 30, 32, 36, 37, and 41-45 were rejected under 35 U.S.C. § 102(b) as being anticipated by or in the alternative, under 35 U.S.C. § 103(a) as obvious over Venable, U.S. Patent No. 3,886,076. This rejection is respectfully traversed, and the correctness of the rejection is not conceded.

Claim 30 recites a compression molding composition comprising 15 to 35 % by wt. inorganic binder.

Venable discloses a product formed by a mixture including 13.5 - 21.0 % by wt. Alkophos C. Venable, col. 2, ll. 29-31; col. 7, l. 16. Venable discloses that Alkophos C has a 43 % solids content. Venable, col. 3, ll. 62 and 63; col. 4, ll. 57-59; col. 6, l. 40 and 65; col. 7, l. 16.

Venable also discloses that Alkophos C is generally represented by the formula $\text{Al}_2\text{O}_3 \cdot 3\text{P}_2\text{O}_5 \cdot \text{XH}_2\text{O}$, and that Alkophos C is a solid suspended liquid. Venable, col. 3, ll. 61 and 62; col. 6, l. 65. Therefore, Alkophos C includes on 43 % by wt. solid binder, and the remaining 57 % by weight is non-binder material such as a suspension liquid. See also U.S. Patent No. 4,018,023 (describing Alkophos C as an aqueous solution at col. 4, ll. 36-38).

Since only 43 % by wt. of Alkophos C is solid binder, the composition disclosed by Venable includes only approximately 5.81 - 9.03 % by wt. binder. For example, Examples I-III at column 4, line 31 through column 7, line 11 of Venable include only approximately 7.15 - 7.58 % by wt. binder. It is therefore respectfully suggested that Venable fails to disclose a compression molding composition comprising 15 to 35 % by wt. inorganic binder, as recited by claim 30.

Venable states at column 7, lines 12-21 that deviations in the percentages of materials disclosed by Venable "will form a product which will not have the various features of the insulating product of this invention." Therefore, one skilled in the art would not be motivated to deviate from the percentages disclosed by Venable because Venable expressly teaches away from any such deviation. Venable fails to suggest a compression molding composition comprising 15 to 35 % by wt. inorganic binder, as recited by claim 30.

Reconsideration and allowance of claim 30, as well as claims 32, 36, 37, and 41-45 that depend therefrom, are therefore respectfully requested.

IV. Allowable Subject Matter


Claims 33-35 and 38-40 were noted as being allowable. Applicants appreciate the Examiner's assistance in identifying allowable subject matter. All claims are in condition for allowance.

V. Conclusion

Favorable reconsideration in the form of a Notice of Allowance is respectfully requested. The Examiner is encouraged to contact the undersigned attorney with any questions regarding this application.

Respectfully submitted,
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